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**ECF FILING**

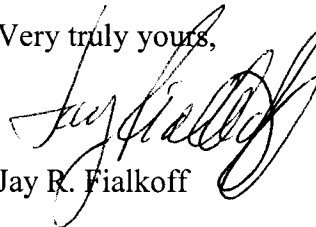
Magistrate Viktor V. Pohorelsky  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States Dredging Corporation v. One Beard Street, LLC  
Docket No. 05CV2046(SLT)

Dear Magistrate Pohorelsky:

I am in receipt of yesterday's Order calling for a conference on May 26, 2005 at 4:00 P.M. I have a State Court appearance in Supreme Court, New York County at 2:30 P.M., which may not conclude until 4:00 P.M. Accordingly, I would respectfully request that the conference commence at 4:30 P.M. If that presents a problem, I am available for the conference on Friday morning as well.

Very truly yours,



Jay R. Fialkoff

JRF/df

Cc: Wechsler & Cohen, LLP